

# Fact Sheet



## For Final Renewal Permitting Action Under 45CSR30 and Title V of the Clean Air Act

Permit Number: **R30-04900009-2014**

Application Received: **July 9, 2013**

Plant Identification Number: **049-00009**

Permittee: **Monongahela Power Company**

Facility Name: **Rivesville Power Station**

Mailing Address: **800 Cabin Hill Drive, Greensburg, PA 15601**

*Revised: N/A*

---

Physical Location:	Rivesville, Marion County, West Virginia
UTM Coordinates:	575.93 km Easting • 4374.28 km Northing • Zone 17
Directions:	Interstate I-79 to exit 137 (SR-310 North). Follow SR-310 North to downtown Fairmont. Turn right on US-250 (Adams Street). Follow Adams Street to the end and turn left onto Quincy Street (US-19). Follow Route 19 North to Rivesville Main Street. Continue on Main Street to the end and turn left onto Jackson Street. Rivesville Power Station will be on the right.

---

### Facility Description

Rivesville is a fossil fuel-fired electric generating facility with two (2) main boilers, operating under the Standard Industrial Classification (SIC) code of 4911, identified as Unit 5 (B5) and Unit 6 (B6), with maximum design heat inputs (MDHI) of 639 MMBtu/hr and 1,027 MMBtu/hr, respectively. The facility also contains two (2) 20.1 MMBtu/hr Auxiliary Boilers, identified as AuxB 9A and 9B. In addition, it has a 350 KW emergency generator; and supporting operations including coal handling, ash handling and storage tanks. The facility has the potential to operate seven (7) days per week, twenty-four (24) hours per day, and fifty-two (52) weeks per year. The units (#5 and #6) have been placed on "Long Term Cold Storage" effective September 1, 2012.

## Emissions Summary

<b>Plantwide Emissions Summary [Tons per Year]</b>		
<b>Regulated Pollutants</b>	<b>Potential Emissions</b>	<b>2012 Actual Emissions</b>
Carbon Monoxide (CO)	162.3	0.5
Nitrogen Oxides (NO <sub>x</sub> )	5730.8	25.4
Particulate Matter (PM <sub>2.5</sub> )	120.4	1.0
Particulate Matter (PM <sub>10</sub> )	363.9	4.5
Total Particulate Matter (TSP)	768.2	14.9
Sulfur Dioxide (SO <sub>2</sub> )	13,537.1	22.1
Volatile Organic Compounds (VOC)	19.2	0.3

*PM<sub>10</sub> is a component of TSP.*

<b>Hazardous Air Pollutants</b>	<b>Potential Emissions</b>	<b>2012 Actual Emissions</b>
Hydrogen Chloride	364.9	0.5
Hydrogen Fluoride	45.6	0.1
Other HAP	3.6	0.0
<b>Total HAPs</b>	414.1	0.6

*Some of the above HAPs may be counted as PM or VOCs.*

This facility has the potential to emit equal to or greater than 100,000 tons per year of carbon dioxide equivalent (CO<sub>2</sub>e) and 100 tons per year of greenhouse gases (GHGs) on a mass basis.

## Title V Program Applicability Basis

Due to this facility's potential to emit over 100 tons per year of criteria pollutants (i.e., SO<sub>2</sub>, NO<sub>x</sub>, PM<sub>10</sub>, & CO), over 10 tons per year of a single HAP, over 25 tons per year of aggregate HAPs, and over 100,000 tons per year CO<sub>2</sub>e and 100 tons per year of GHGs on a mass basis, the Rivesville Power Station is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

## Legal and Factual Basis for Permit Conditions

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Rule 45CSR30 for the purposes of Title V of the Federal Clean Air Act and the underlying applicable requirements in other state and federal rules.

This facility has been found to be subject to the following applicable rules:

### Federal and State:

45CSR2

To Prevent And Control Particulate Air Pollution From  
Combustion Of Fuel In Indirect Heat Exchangers

45CSR6

Control Of Air Pollution From Combustion Of Refuse

45CSR10	To Prevent And Control Air Pollution From The Emission Of Sulfur Oxides
45CSR11	Prevention Of Air Pollution Emergency Episodes
45CSR13	Permits For Construction, Modification, Relocation And Operation Of Stationary Sources Of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, And Procedures For Evaluation
45CSR30	Requirements For Operating Permits
45CSR33	Acid Rain Provisions and Permits
45CSR34	Emission Standards For Hazardous Air Pollutants
45CSR39	Control Of Annual Nitrogen Oxides Emissions
45CSR40	Control Of Ozone Season Nitrogen Oxides Emissions
45CSR41	Control Of Annual Sulfur Dioxide Emissions
WV Code § 22-5-4 (a) (14)	The Secretary can request any pertinent information such as annual emission inventory reporting.
40 C.F.R. Part 61, Subpart M	National Emission Standard For Asbestos
40 CFR Part 63 Subpart DDDDD	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters
40 CFR Part 63 Subpart UUUUU	National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units
40 CFR 63, Subpart ZZZZ	National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
40 C.F.R. Part 64	Compliance Assurance Monitoring
40 C.F.R. Part 72	Permits Regulation
40 C.F.R. Part 73	Sulfur Dioxide Allowance System Permits Regulation
40 C.F.R. Part 74	Sulfur Dioxide Opt-ins
40 C.F.R. Part 75	Continuous Emissions Monitoring
40 C.F.R. Part 76	Acid Rain Nitrogen Oxides Emission Reduction Program
40 C.F.R. Part 77	Excess Emissions
40 C.F.R. Part 78	Appeals Procedure (for Acid Rain Program)
40 C.F.R. Part 82, Subpart F	Ozone depleting substances
<u>State Only:</u>	
45CSR4	To Prevent And Control The Discharge Of Air Pollutants Into The Open Air Which Causes Or Contributes To An Objectionable Odor Or Odors

Each State and Federally-enforceable condition of the Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the Title V permit as such.

The Secretary's authority to require standards under 40 C.F.R. Part 60 (NSPS), 40 C.F.R. Part 61 (NESHAPs), and 40 C.F.R. Part 63 (NESHAPs MACT) is provided in West Virginia Code §§ 22-5-1 *et seq.*, 45CSR16, 45CSR34 and 45CSR30.

## Active Permits/Consent Orders

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit ( <i>if any</i> )
Consent Order	August 31, 1989	
R13-1098B	June 1, 2004	
R33-3945-2017-4	December 19, 2012	Effective January 1, 2013

Conditions from this facility's Rule 13 permit(s) governing construction-related specifications and timing requirements will not be included in the Title V Operating Permit but will remain independently enforceable under the applicable Rule 13 permit(s). All other conditions from this facility's Rule 13 permit(s) governing the source's operation and compliance have been incorporated into this Title V permit in accordance with the "General Requirement Comparison Table," which may be downloaded from DAQ's website.

## Determinations and Justifications

- ❖ This is a renewal of the Title V permit which was issued on January 9, 2009. Substantial changes to the most recent version of the Title V Permit consist of the following:

### 1) Title V Boilerplate changes

- Condition 2.1.4. – The word “monthly” was added to the definition of “rolling yearly total.”
- Condition 3.1.3. - The citation of authority was changed because 45CSR15 was repealed and 40 CFR 61 is now incorporated into 45CSR34.
- Condition 3.3.1. – Subsection “d” was added to this condition. Also section 14 of WV Code §§22-5-4 (a) was added in the citation of authority.
- Conditions 3.5.3. and 3.5.5. - These conditions were revised to require electronic submittal of the annual certification to USEPA. The certification shall now only be submitted to the USEPA by e-mail. Also the USEPA address and office name were updated in condition 3.5.3.

### 2) 45CSR26 - *NO<sub>x</sub> Budget Trading Program as A Means of Control and Reduction of Nitrogen Oxides from Electric Generating Units*

- This Rule has been repealed. Therefore the requirements of this rule have been removed. The NO<sub>x</sub> Budget Permit Application included in Appendix A has also been removed.

### 3) 45CSR37 - *Mercury Budget Trading Program To Reduce Mercury Emissions*

- This Rule has been repealed. Therefore the CAMR Mercury Budget Trading Program requirements have been removed from the permit.

### 4) Section 4.0 changes:

- Condition 4.1.10. – It has been determined that the Acid Rain permits do not need to be included in the Appendix of the Title V permit. Therefore, the Acid Rain permit has not been included in the renewal permit. Condition 4.1.10.a. has been revised to delete the language stating that the

Acid Rain permit is included in Appendix D. The requirement to hold an Acid Rain permit will remain in section 4.1. of the Title V permit.

- Condition 4.1.11. - Placeholder language and requirements have been added for the Electric Utility Steam Generating Units (EGU) MACT, 40 CFR 63, Subpart UUUUU for which the Rivesville steam generators “B5” and “B6” are subject. (See Below)
- Condition 4.1.21. - Placeholder language and requirements have been added for the Industrial, Commercial, and Institutional Boilers and Process Heaters MACT, 40 CFR 63, Subpart DDDDD for which the Rivesville auxiliary boilers “AuxB 9A” and “AuxB 9B” are subject. (See Below)
- Condition 4.2.4. – Subsequent to EPA comments on the proposed permit renewal, this condition has been rewritten to clarify that the Data Acquisition System (DAS) has been programmed and will be used for determination of PM emission rates consistent with the facility’s Part 64 CAM plan. Also, separate from EPA comments, 40 CFR §64.6(c)(2) has been added to the citation of authority for the definition of an excursion.
- Condition 4.2.6. – Subsequent to EPA comments on the proposed permit renewal, the language in this condition has been replaced with “Reserved.” The TEOM 7000 emissions data has been validated rendering this condition obsolete.
- Condition 4.2.7. through 4.2.10 – The CAM related testing and CAM plan Implementation requirements of condition 4.2.7. of permit R30-04900009-2009 have been fulfilled thereby rendering these requirements obsolete. Therefore they have not been included in this renewal permit. “Boilerplate” CAM requirements have been added in conditions 4.2.7. through 4.2.10., inclusive.
- Condition 4.3.1. – Since the frequency of retesting is dependent upon the test results of the previous testing and since it is possible that more than one series of tests may be required during the permit term (e.g. tests are required annually or once/2years) the language in this condition has been revised to exclude the dates of the last tests. Instead, those dates are included here in the fact sheet. Unit 5 (Stack 7) was last tested in August 2008 and is on a “once/2years” schedule. Unit 6 (Stack 8) was last tested in November 2008 and is on a “once/3years” schedule. Since the units are in “cold storage” status, the next tests will be scheduled following start-up of the units.

#### **5) Section 5.0 (New):**

- This section was added to include the 40 CFR 63 Subpart ZZZZ (RICE MACT) requirements for the Rivesville emergency generator engine “EDG.” (See Below)

#### **❖ 40 CFR 63, Subpart UUUUU - *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units (EGU)***

The Rivesville’s “B5” and “B6” boilers each commenced construction prior to May 3, 2011 and each one is therefore defined as an existing electric utility steam generating unit (EGU). They are subject to the requirements of Subpart UUUUU which establishes national emission limitations and work practice standards for hazardous air pollutants (HAP) emitted from coal- and oil-fired EGUs. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations. Pursuant to 40 CFR §63.9984(b) an existing EGU must comply with this subpart no later than April 16, 2015. Therefore, not all of the requirements have been included in the Title V permit. If required to conduct an initial compliance demonstration by performance testing as specified in §63.10011(a), the permittee must submit a Notification of Compliance Status (NOCS) report according to §63.9(h)(2)(ii). If required to submit an NOCS, a

complete application for a modification to the Title V permit to incorporate the specific requirements of Subpart UUUUU must also be submitted. (See conditions 4.1.11.)

❖ **40 CFR 63, Subpart DDDDD - *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters***

The Rivesville's "AuxB 9A and AuxB 9B" boilers are subject to the requirements of 40 CFR 63 Subpart DDDDD. The following language has been included in condition 4.1.21. for said auxiliary boilers:

- a. The natural gas/oil fired auxiliary boilers (*AuxB 9A and AuxB 9B*), shall comply with all applicable requirements for existing affected sources pursuant to 40 CFR 63, Subpart DDDDD, "National Emission Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters no later than the existing source compliance date of January 31, 2016.  
[45CSR34; 40 CFR §63.7495(b)]

- b. If required to submit a Notification of Compliance Status (NOCS) pursuant to 40 CFR 63, Subpart DDDDD, the permittee shall also submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of the rule no later than the maximum time allowed for the NOCS submittal in 40 CFR §63.7545(e).

If requested, this Title V permitting deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date.

[45CSR34; 40 CFR §63.7545(e); 45CSR§30-6.5.b.]

❖ **40 CFR Part 63, Subpart ZZZZ – *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines***

Rivesville's emergency generator engine (*EDG*) is an existing stationary compression ignition (CI) RICE less than 500 HP located at a major source of HAP emissions and therefore subject to Subpart ZZZZ. These requirements have been included in Section 5.0 of the permit

- ❖ **40 CFR Part 64** – This is a 2<sup>nd</sup> renewal. Since CAM was addressed in the first renewal and there were no modifications to the facility that would have triggered a CAM review subsequent to the first renewal, a CAM evaluation was not made. However, CAM "boilerplate" language that was not previously included in the current permit (i.e., R30-04900009-2009) has been added to this renewal.
- ❖ **Clarification of compliance with 45CSR§2-5.1.** - Subsequent to and as a result of EPA comments regarding permit condition 3.1.12. (see comment 2 below) and additional discussions between EPA and the DAQ the following clarification is hereby added:

**Condition 3.1.12** – The requirement of this condition is that of 45CSR§2-5.1. which is to not allow any source of fugitive particular matter to operate that is not equipped with a fugitive particular matter control system. The significant sources of fugitive particulate matter are listed in the Emission Units Table of condition 1.1. The Emission Units Table also lists the method of fugitive particulate matter control in the "Control Device" column. Since no monitoring, recordkeeping, or reporting is specified in 45CSR§2-5.1., monitoring and recordkeeping has been added under the authority of 45CSR§30-5.1.c. as condition 3.4.4. Under condition 3.4.4., the permittee is required to inspect the fugitive dust control systems weekly from May 1 through September 30 and monthly from October 1 through April 30 to ensure that they are operated and

maintained in conformance with their designs. Records of these inspections, as well as all scheduled and non-scheduled maintenance stating any maintenance or corrective actions taken as a result of the weekly and/or monthly inspections, the times the fugitive dust control system(s) were inoperable and any corrective actions taken are required to be maintained. Also records indicating the use of any dust suppressants or any other suitable dust control measures applied at the facility are required to be maintained.

### Non-Applicability Determinations

The following requirements have been determined not to be applicable to the subject facility due to the following:

45CSR5	--- The coal handling operations are regulated by 45CSR2 and therefore are exempt in accordance with 45CSR§5-2.4.b. & 2.14.
45CSR§10-8	--- The Auxiliary Boilers combust natural gas or distillate oil only and are exempt in accordance with 45CSR§10-10.3
45CSR17	--- The facility is regulated by 45CSR2 and therefore exempt in accordance with 45CSR§17-6.
40 CFR Part 60, Subpart D	--- The main boilers (B5 & B6) commenced construction prior to August 17, 1971.
40 CFR Part 60, Subpart Da	--- The main boilers (B5 & B6) commenced construction prior to September 18, 1978.
40 CFR Part 60, Subpart Db	--- The main boilers (B5 & B6) commenced construction prior to June 19, 1984; the auxiliary Boilers (9A & 9B) each have heat input capacities of less than 100 MMBtu/hr.
40 CFR Part 60, Subpart Dc	--- The auxiliary boilers (9A & 9B) commenced construction prior to June 9, 1989.
40 CFR Part 60, Subparts K	--- Rivesville Power Station does not have any tanks storing petroleum liquids (as defined in 40 CFR §60.111) that were constructed after March 8, 1974 and prior to May 19, 1978 and exceed 40,000 gallons in capacity.
40 CFR Part 60, Subparts Ka	Rivesville Power Station does not have any tanks storing petroleum liquids (as defined in 40 CFR §60.111a) that were constructed after May 18, 1978 and exceed 40,000 gallons in capacity.
40 CFR Part 60, Subpart Kb	--- Rivesville Power Station does not have any tanks that were constructed after July 23, 1984 that (a) exceed 75m <sup>3</sup> (19,813 gal) in capacity and store volatile organic liquids (as defined in 40 CFR §60.111b) with a maximum true vapor pressure greater than 15.0 kPa (2.18 psia) or (b) exceed 151m <sup>3</sup> (39,864 gal) in capacity and store volatile organic liquids with a maximum true vapor pressure greater than 3.5 kPa (0.51 psia).
40 CFR Part 60, Subpart Y	--- The coal handling facility commenced construction or modification before October 24, 1974.
40 CFR Part 60, Subpart IIII	--- The emergency generators commenced construction prior to July 11, 2005
40 CFR Part 63, Subpart Q	--- The cooling tower does not use chromium-based water treatment chemicals.

GHG Clean Air  
Act requirements

This is a renewal Title V permit and there have not been any modifications that would have triggered a PSD permit.

### **Request for Variances or Alternatives**

None.

### **Insignificant Activities**

Insignificant emission unit(s) and activities are identified in the Title V application.

### **Comment Period**

Beginning Date: April 18, 2014  
Ending Date: May 19, 2014

### **Point of Contact**

All written comments should be addressed to the following individual and office:

Frederick Tipane  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304/926-0499 ext. 1215 • Fax: 304/926-0478  
E-mail: frederick.tipane@wv.gov

### **Procedure for Requesting Public Hearing**

During the public comment period, any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Secretary shall grant such a request for a hearing if he/she concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

### **Response to Comments (Statement of Basis)**

Comments submitted by the USEPA were received via e-mail on May 29, 2014. As a result of these comments, the Rule 2 and Rule 10 Monitoring plans have been revised by the company and included in Appendix B of the permit. Condition 4.2.4. has been revised. The requirement in Condition 4.2.6. of the Draft/Proposed permit has been previously fulfilled and therefore removed. This condition has been marked "Reserved."

The following are the comments verbatim and in bold text followed by the responses submitted with the proposed permit to EPA on June 18, 2014:

#### **Comment 1 (Appendix B – 45CSR2 & 45CSR10 Monitoring Plan):**

**Both monitoring planS do not assure compliance with applicable requirements in NSPS 40 CFR Part 60 and Part 75 (Acid Rain) found in this permit.**

**We are not in agreement with the assertion in both monitoring plans that the Rivesville Power Station's continuous opacity monitor can be replaced in the absence of COMs data by method 9 readings or any other "appropriate method that would produce credible data" and assure compliance with 40 CFR Part 60 and 75 requirements in the case of the 45 CSR 2 monitoring plan; or in the case of the 45 CSR 10 monitoring plan that ASTM fuel sampling or another "appropriate method" can provide credible data; unless it is demonstrated.**



The preamble of the Credible Evidence Rule states the following: “By clearly providing that federally approved SIP test methods or Agency reference test methods are not the exclusive means of establishing noncompliance or compliance, EPA in no way intends to alter the underlying emission standards. The Agency will still use the reference methods for exactly what they are: test methods of reference against which to compare information generated by means other than the reference tests. The National Bureau of Standards maintains a number of standards against which other measuring devices, used in scientific or commercial applications, are calibrated. Similarly, where a SIP, New Source Performance Standard or permit specifies EPA Method 25A, for example, for determining the amount of volatile organic compounds (“VOCs”) that are emitted, the “other evidence” that could establish compliance would have to relate to the likely measurement of VOCs that would be obtained by a Method 25A measurement. This could include, for example, consideration of key operating parameters for the facility as correlated with emissions during a Method 25A test”.

In the case of monitoring plan for 45CSR2 the assumption that EPA Method 9 is interchangeable for COMS is a misinterpretation of the credible evidence rule. Automatic credibility of a monitoring method as a surrogate for another method is not part of the rule. This reason that this rule is called the credible evidence rule and not the credible methodology rule is because it is the evidence (data) that is key in determining if the methods can be used interchangeably. The data produced from the method must be analyzed to see if it can be used in a credible way to assure compliance. It’s a case by case determination.

We could upon a satisfactory review of evidence provided, concur that there is a relationship between method 9 data with COMS readings that makes Method 9 is credible to use for compliance, however this plan does not demonstrate that Method 9 or any other method can produce credible comparable to COMS data. The same is true for the method that is alleged to be credible to use in place of the SO<sub>2</sub> CEMs.

The credibility language in both the monitoring plans needs to be removed or an analysis done to demonstrate that methods that the facility alleges are credible can in practice produce credible data to assure compliance with the requirements of 40 CFR Part 60 and Part 75 found in the permit or the facility must supply other instances of other power plant facilities that have similar plans or similar studies.

#### **Response 1:**

The 45CSR2 and 45CSR10 (Rule 2 & 10) Monitoring plans are required to be submitted by facilities subject to these rules unless exempted by said rules. These monitoring plans are to demonstrate compliance with the applicable requirements of the West Virginia state rules only. They are not intended to demonstrate compliance with 40 CFR Part 60 or Part 75.

45CSR2A §6.2.a.requires all fuel burning units (if not exempted by the Director) with a design heat input of 250 mmBtu/hr or greater to use a COMS to satisfy the requirements of the approved monitoring plan. The Rivesville Rule 2 monitoring plan uses COMS as the primary means for compliance with the opacity limit established in Rule 2. The Method 9 approach mentioned in the plan is intended as a back-up to demonstrate compliance with opacity in the event the COMS data is unavailable.

Likewise, 45CSR10A §6.1.b.requires the use of CEMS for a type “a” fuel burning unit to satisfy the requirements of the approved monitoring plan. The Rivesville Rule 10 monitoring plan uses CEMS as the primary means for demonstrating compliance with the Rule 10 limit. The alternative method outlined in the monitoring plan to demonstrate compliance with the Rule 10 limit is intended as a back-up means of compliance in the event the CEMS data is unavailable.

The COMS and CEMS are required to conform to the specifications of 40 CFR Part 60 and Part 75.

Again, the Rule 2 and Rule 10 monitoring plans are for the monitoring of the Rule 2 opacity limit and the Rule 10 SO<sub>2</sub> emission limit from each boiler stack, and are not used for compliance demonstration of 40 CFR Part 60 or Part 75 requirements.

The intent of the credibility language was not for the purpose of interchanging monitoring methods but rather to supply reliable monitoring in the event the COMS and/or CEMS did not provide data. The monitoring plans however are under review and revision by the company to remove the credibility language and are expected to be submitted prior to the issuance of the permit.\*

*\*[The revised monitoring plans were received on July 17, 2014 and have been incorporated into the final permit. This note is not part of the response to comments.]*

**Comment 2 (Condition 3.1.12.):**

**This condition contained in the WVA SIP is practically unenforceable in this permit, because the permit doesn't identify the emissions units in this facility subject to the requirements here and it does not specify what kind of particular matter control system must be used on each unit that is subject to this requirement.**

**To address this deficiency, it is recommended this condition be moved to the source specific section of the permit, the devices subject to this requirement be identified and specific provisions added as to what controls and work practices are to be used to control PM for each device and the frequency and duration of their application, and the fact sheet should provide a rationale in the permit record explaining why the permit conditions are sufficient to assure compliance with WVA SIP rule 45CSR§2-5.1. Further, the permit should include necessary monitoring, recordkeeping and reporting.**

**Response 2:**

The intent of the fugitive particulate matter (PM) control requirement of the WV state rule 45CSR2 §5.1 is to be a "catch-all" to minimize fugitive dust from facilities subject to this rule. It acts as a blanket to cover the whole facility in order to prevent episodes of high fugitive PM emissions from anywhere within the facility not covered by point source PM requirements (e.g., boiler stacks). In fact, the only type of point source applicable to Rule 2 is the emission release point from a fuel burning unit (i.e., a boiler stack). All other PM emissions are regulated through 45CSR§2-5.1 as fugitive, non-point sources. Although the primary and most common targets for control of fugitive PM emissions are listed in this requirement as examples (i.e., "Stockpiling of ash or fuel either in the open or in enclosures such as silos;" "transport of ash in vehicles or on conveying systems, to include spillage, tracking, or blowing of particulate matter from or by such vehicles or equipment;" and "ash or fuel handling systems and ash disposal areas") these are not the only sources of fugitive dust at the facility and this requirement is not limited to these examples. The requirement does not specify any particular PM emission limit or opacity limit but rather only to minimize the fugitive PM. This requirement also provides a mechanism for enforcement personnel to enforce on an episode of excessive fugitive PM from anywhere on the facility's site and has been used on numerous occasions for such enforcement actions.

Although each source of fugitive emissions is not specifically identified, the facility is required to have some sort of control in place and in operation. The specifics about the types of fugitive sources and their controls will be listed in the records the facility is required to keep. The record keeping requirement also specifies the frequency of control system inspections.

Condition 3.4.4. of the Rivesville Title V permit requires that records are maintained indicating the use of any dust suppressants or other control measures applied. It also requires inspection of all fugitive control systems weekly May 1 through September 30 and monthly from October 1 through April 30 to ensure that they are operated and conform to their designs. Records are also required of scheduled and non-scheduled maintenance, corrective actions taken as a result of the weekly/monthly inspections, and the times the fugitive dust control system(s) were inoperable.

Because this requirement is basically a blanket requirement for the whole facility in order to minimize fugitive dust emissions, it should remain in the “facility-wide” section of the permit as written. And as such, since there are no specific devices associated with the requirement, it would be difficult to list in the Title V permit each and every piece of equipment or source it could cover. It would be a mistake to limit this condition by specifying applicability to just certain sources or types of sources and not others located at a facility. It would be nearly impossible to specify all sources of fugitive emissions that could account for present and future activities at any given time. This requirement has been in Rule 2 since its original SIP approval and has been included in Rivesville’s initial Title V permit and subsequent renewal permit with no adverse enforcement issues.

**Comment 3 (Condition 4.2.4.):**

**The language here makes it unclear that this has been done prior to the previous TVOP. Also it appears that the TEOM may have been replaced by a newer unit in 2009. It is also uncertain if this correlation should be repeated on a certain scheduled frequency. The facility should indicate why it is not reasonable to require this correlation to be revalidated.**

**Response 3:**

This condition has been rewritten as follows:

*The Data Acquisition System (DAS), programmed to calculate PM emissions (lb/hr) from opacity data using the opacity vs. TSP concentration correlation curves as determined by particulate testing with the TEOM 7000, shall be used to monitor the PM emission rate. An excursion shall be defined as a 3-hour block average where the calculated PM emission rate exceeds the limit established in 45CSR§2-4.1.a. (31.95 lb/hr for Boiler #5; 51.35 lb/hr for Boiler #6), or any six-minute block average opacity exceeding 10%.*

Also, unrelated to the comment, 40 CFR §64.6(c)(2) has been added to the citation of authority for the excursion definition.

**Comment 4 (Condition 4.2.6.):**

**It appears that this data acquisition and validation was done almost 13 years ago. It appears that this correlation should be revalidated to account for boiler degradation since 2002 and any operational changes.**

**Response 4:**

The TEOM 7000 was approved for use by the USEPA in the letter dated 2002. The validation has been completed and therefore this requirement will be removed from the permit and this condition will be marked as “Reserved”

**Comment 5 (Condition 4.3.1.):**

**It is unclear how often the boilers should be tested at this point in time. The testing frequency requirement must be identified for each of the boilers.**

**Response 5:**

As described in the “Determinations and Justifications” section of the fact sheet under Item4 (see the last bullet), since the frequency of retesting is dependent upon the previous test results and that several tests may be required within a permit term, the dates of the last tests were not put in the permit but included in the fact sheet. The frequency of the testing is also included in the fact sheet; “once/2years”for Unit5 and “once/3years” for unit 6. The Rivesville units are in “cold storage” status. The next test for each boiler will be scheduled following each of the unit’s next start-up.